

*United States District Court*

FOR THE SOUTHERN DISTRICT OF NEW YORK

FEDERAL EXPRESS CORPORATION

SUMMONS IN CIVIL CASE

v.

CASE NUMBER:

ISAAC L. BROCKINGTON, individually;  
KUMIKI GIBSON, individually and in the  
capacity as Commissioner of the New York  
State Division of Human Rights; MARGARET  
GORMLEY-KING, individually and in her  
capacity as Regional Director of the New York  
State Division of Human Rights; CAROLINE  
DOWNEY, Acting General Counsel of  
the New York State Division of Human Rights,  
and the NEW YORK STATE DIVISION OF  
HUMAN RIGHTS,

07 CV 4775

*Judge Pauley*

To:

Isaac L. Brockington  
4 Middle Bush Road  
Wappinger Falls, New York 12590

Kumiki Gibson  
Commissioner of the New York State Division  
of Human Rights  
One Fordham Plaza, 4<sup>th</sup> Floor  
Bronx, New York 10458

Margaret Gormley-King  
Regional Director of the New York State  
Division of Human Rights  
8 John Walsh Blvd., Suite 204  
Peekskill, New York 10566

Caroline Downey  
Acting General Counsel of the New York State  
Division of Human Rights  
One Fordham Plaza, 4<sup>th</sup> Floor  
Bronx, New York 10458

New York State Division of Human Rights  
One Fordham Plaza, 4<sup>th</sup> Floor  
Bronx, New York 10458

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

NEWMAN FITCH ALTHEIM MYERS, P.C.  
14 Wall Street – 22<sup>nd</sup> Floor  
New York, New York 1005  
(212)619-4350

an answer to the complaint is herewith served upon you, within **20** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service

**J. MICHAEL McMAHON**

Clerk

(BY) DEPUTY CLERK

JUN 05 2007

Date

FEDERAL EXPRESS CORPORATION

Plaintiff(s)

Index # 07 CV 4775

- against -

Purchased June 5, 2007

ISAAC L. BROCKINGTON, ETAL

Defendant(s)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

TONY DONADIO BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 14, 2007 at 10:40 AM at

4 MIDDLE BUSH ROAD  
PRIVATE HOUSE  
WAPPINGER FALLS, NY 12590

deponent served the within SUMMONS AND COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF; RULE 7.1 STATEMENT on ISAAC L. BROCKINGTON therein named,

**AFFIXING TO DOOR** by affixing a true copy of each to the door of said premises, which is the Defendant's dwelling house/usual place of abode within the state. Deponent was unable, with due diligence to find the Defendant or a person of suitable age and discretion, thereat, having called there on:

June 11, 2007 AT 6:55 PM

June 13, 2007 AT 7:45 AM

June 14, 2007 AT 10:40 AM

**MAILING** Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's last known residence at

4 MIDDLE BUSH ROAD  
WAPPINGER FALLS, NY 12590

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on June 15, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

Spoke with MRS. WILSON, NEIGHBOR who stated that the Defendant lives at the aforementioned address but was unable to divulge the Defendant's place of employment.

**MILITARY SERVICE** Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: June 21, 2007

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Comm. Expires February 10, 2010

MICHAEL SMITH  
Notary Public, State of New York  
No. 04SM4997428  
Qualified in New York County  
Comm. Expires June 8, 2010

JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Comm. Expires December 4, 2010

  
TONY DONADIO

Invoice #: 442142